

**BRISTOL BAY NATIVE ASSOCIATION**  
**P.O. BOX 310**  
**DILLINGHAM, ALASKA 99576**  
**Ph. (907) 842-5257 Fax (907) 842-5932**  
**By Executive Committee**

**RESOLUTION 2010 -07**

**A RESOLUTION OPPOSING H.R. 5992 AND URGING CONGRESS NOT TO INTERFERE WITH THE EPA'S "404(C)" AUTHORITY OVER MATERIAL DISCHARGES IN WATERWAYS**

WHEREAS: Section 404(c) of the Clean Air Act authorizes the Environmental Protection Agency (EPA) to restrict or prohibit the discharge of dredge or fill material, such as mine wastes, into waterways when there would be an "unacceptable adverse impact" on fisheries, wildlife or municipal water supplies or recreational areas; and

WHEREAS: Although rarely used, Section 404(c) gives the EPA potential veto power over any discharge permits otherwise issued by the Corps of Engineers for the proposed Pebble Mine; and

WHEREAS: Six Bristol Bay tribes have petitioned the Environmental Protection Agency to invoke its authority under Section 404(c) in regard to discharge permits for the Pebble Mine; and

WHEREAS: During talks with EPA Administrator Lisa Jackson in Dillingham in July, local Native leaders urged her to review discharge permits that may be issued for the Pebble Mine; and

WHEREAS: Within days of the Dillingham meeting, Congressman Don Young introduced H.R. 5992, a bill to completely repeal Section 404(c) and thus strip the EPA of any authority over permits for dredged or fill material in waterways;

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Bristol Bay Native Association Board of Directors, that the Bristol Bay Native Association strongly opposes H.R. 5992 and any other efforts by Congress to interfere with the EPA's authority under Section 404(c) of the Clean Air Act.

Signed: Fred S. Angason  
President

**CERTIFICATION:**

I, the undersigned Secretary of the Bristol Bay Native Association, do hereby certify that the Executive Committee of the Board of Directors of the Bristol Bay Native Association duly adopted the foregoing resolution on this 6<sup>th</sup> day of August, 2010, at a duly called and noticed meeting at which a quorum was present.

Signed: Robert Nepano  
Secretary